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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUL 11 2008 RC
Jul 11, 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

MINTEL INTERNATIONAL GROUP,
LTD., a United Kingdom corporation,

Plaintiff,

v.

MEESHAM NEERGHEEN, an individual,

Defendant,

Case No.: 08CV3939

JUDGE DOW

**PLAINTIFF'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION**

Plaintiff MINTEL INTERNATIONAL GROUP, LTD. ("Mintel"), a United Kingdom corporation, submits this Emergency Motion for Temporary Restraining Order and Preliminary Injunction as follows:

1. Mintel has filed a Complaint for Injunctive and Other Relief ("Complaint") against Defendant Meesham Neergheen ("Neergheen").
2. In support of this Motion, Mintel relies upon the Complaint and supporting Memorandum of Law.
3. As stated within Mintel's Complaint, Neergheen has violated the Computer Fraud and Abuse Act, 18 U.S.C. § 1330, *et seq.*, the Illinois Trade Secret Act, 765 ILCS 1065/1, *et seq.*, and has violated the terms of the Contract of Employment and Employee Non-Compete/Non-Solicitation Agreement.
4. Mintel has a clear and lawful right to protect its trade secrets, client lists, marketing strategies and vendor lists, all of which are laid out in detail within the Complaint.

5. Mintel's right to protect the subject confidential, proprietary and trade secret information arises from state and federal law, as stated at length in the various Counts against Neergheen in the Complaint and in the supporting Memorandum of Law filed contemporaneously with this Motion.

6. As stated in Mintel's Complaint, Neergheen was a former employee of Mintel and had access to the subject confidential, proprietary and trade secret information. Prior to his resignation, Neergheen e-mailed, copied and/or printed the subject confidential, proprietary and trade secret information for his own benefit and gain.

7. Furthermore, Neergheen is currently working for Datamonitor, a competitor of Mintel, which is in direct violation of the terms of the Contract of Employment and Employee Non-Compete/Non-Solicitation Agreement Neergheen entered into with Mintel.

8. The negative implications and potential damages to Mintel as a result of Neergheen's unlawful behavior are staggering.

9. Mintel has no adequate remedy at law.

10. Mintel has raised a fair question as to its entitlement to a Temporary Restraining Order.

11. Mintel is likely to succeed on the merits of its claims for the reasons set forth within the contemporaneously filed Memorandum of Law.

WHEREFORE Plaintiff Mintel International Group, Ltd. respectfully requests the following relief:


- A. That a temporary restraining order and, thereafter, a preliminary injunction be entered restraining and enjoining Neergheen from working for Datamonitor, Inc. or any other competitor of Mintel.
- B. That a temporary restraining order and, thereafter, a preliminary injunction be entered restraining and enjoining Neergheen from contacting any

clients whose information Neergheen accessed and downloaded from Mintel;

- C. That a preliminary and permanent injunction be entered enjoining and restraining Neergheen from misappropriating and using the confidential, proprietary and trade secret information alleged herein;
- D. That a mandatory injunction order be issued requiring Neergheen to return to Mintel any and all written materials, including copies thereof, and/or computer disks, diskettes, databases and/or other retrievable data (whether encoded, taped, or coded electronically, electromagnetically, or otherwise) which reflect, refer or relate to the subject confidential, proprietary and trade secret information, and any copies thereof that may be in Neergheen's possession;
- E. That a mandatory injunction order be issued requiring Neergheen to make his personal computer hard drives, including software operating systems and any codes in memory necessary to make the encrypted data, including all documents and e-mail, readable on its own equipment, available for inspection and copying by Mintel or an expert of Mintel's choosing;
- F. That an order be entered allowing Mintel to proceed with expedited discovery; and
- G. That such other and further relief be awarded as this Court determines to be just and proper.

Respectfully submitted,

MINTEL INTENTIONAL GROUP, LTD.

By: 
One of Their Attorneys

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